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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,272	09/07/2004	John Ronald Burr	133684-1	5271

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EXAMINER	
GORTAYO, DANGELINO N	
ART UNIT	PAPER NUMBER
2168	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/711,272	BURR ET AL.	
	Examiner	Art Unit	
	Dangelino N. Gortayo	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 September 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 September 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/7/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-23 are pending.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449, filed 9/07/2004, is attached to the instant Office action.

Claim Objections

3. Claim 17 is objected to because of the following informalities: The claim is dependent on claim 13, which is out of order in the claim listing. Examiner believes that the claim it depends on is misnumbered, and should be dependent on claim 15. If this is the case, please amend the claims to the proper claim it depends on. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Krivoshein (US Patent 6,449,715 B1).

As per claim 1, Krivoshein teaches "A system for sharing configuration information among a plurality of devices," (see Abstract)

"the system comprising: a network;" (Figure 1 and column 7 lines 57-64)

"a producer device in communication with the network, the producer device including instructions to:" (Figure 2 reference 72 and column 12 lines 60-64, "configuration database" including a configurator)

"transmit a data sample to a consumer device via the network;" (column 9 lines 15-24, wherein parameters are sent to devices)

"receive a request from the consumer device to send configuration information, the configuration information relating to the data sample;" (column 14 lines 4-8, wherein a device in a network requests configuration information)

"and transmit the configuration information to the consumer device via the network." (column 9 lines 30-36, wherein configuration information is transmitted to devices)

As per claim 2, Krivoshein teaches " the configuration information includes one or more of data type, encoding, location, and array length a signature, a time stamp, data size, an array element index, cardinality, an offset, and an address of the data sample." Figures 5A, 5B, column 9 lines 51-59, and column 19 lines 46-58)

As per claim 3, Krivoshein teaches "the configuration information includes default values." (column 14 lines 38-44, wherein a GSD file in the database includes default information)

As per claim 4, Krivoshein teaches "the configuration information includes a first configuration and a second configuration, the producer device transmits the data sample having the first configuration and a version of the first configuration and at least one of an indication that the second configuration is pending and a version of the second configuration." (column 16 lines 6-11, wherein a configurator can store different configurations to be sent to devices)

As per claim 5, Krivoshein teaches "the producer device receives the request from the consumer device to send the configuration information in response to the at least one of the indication that the second configuration is pending and the version of the second configuration." (column 16 lines 16-32)

As per claim 6, Krivoshein teaches "the configuration information includes a first configuration and a second configuration, the producer device transmits at least one of the data sample having the first configuration, a version of the first configuration, an indication that the second configuration is pending, and a version of the second configuration." (column 16 lines 40-54)

As per claim 7, Krivoshein teaches "the producer device receives the request from the consumer device to send the configuration information in response to the at least one of the indication that the second configuration is pending and the version of the second configuration." (column 16 lines 40-54)

As per claim 8, Krivoshein teaches "the consumer device detects a mismatch in the configuration information via the network." (column 18 lines 28-36, wherein the configuration file in each device is examined)

As per claim 9, Krivoshein teaches "the producer device receives an instruction from external source to change the configuration information from a first configuration to a second configuration." (column 18 lines 33-38)

As per claim 10, Krivoshein teaches "the producer device instructs the consumer device via the network that a change in the configuration information is pending." (column 18 lines 39-44)

As per claim 11, Krivoshein teaches "the producer device maintains a first configuration for a predetermined time and creates a second configuration." (column 9 lines 36-43)

As per claim 12, Krivoshein teaches "the producer device transmits the second configuration to the consumer device." (column 18 lines 8-13)

As per claim 13, Krivoshein teaches "the producer device implements the second configuration and the consumer device responds and implements the second configuration. (column 16 lines 33-40 and column 18 lines 14-19)

As per claim 14, Krivoshein teaches "the network includes at least one of an local area network, a wide area network, a global network, a virtual private network, an intranet, an Ethernet local area network with internet protocol." (column 7 lines 31-36)

As per claim 15, Krivoshein teaches "A method for sharing configuration information among a plurality of devices," (see Abstract)

"the method comprising: transmitting a data sample from a producer device to a consumer device via a network;" (column 9 lines 15-24, wherein parameters are sent to devices)

"receiving a request at the producer device to send configuration information to the consumer device, the configuration information relating to the data sample;" (column 14 lines 4-8, wherein a device in a network requests configuration information)

"and transmitting the configuration information to the consumer device via the network." (column 9 lines 30-36, wherein configuration information is transmitted to devices)

As per claim 16, Krivoshein teaches "detecting a mismatch at the consumer device in the configuration information." (column 18 lines 28-36, wherein the configuration file in each device is examined)

As per claim 17, Krivoshein teaches "receiving an instruction at the producer device to change the configuration information from a first configuration to a second configuration." (column 16 lines 6-11, wherein a configurator decides which configuration to use)

As per claim 18, Krivoshein teaches "instructing the consumer device via the network that the change in the configuration information is pending." (column 18lines 39-44)

As per claim 19, Krivoshein teaches "maintaining the first configuration at the producer device for a predetermined time and creating the second configuration at the producer device." (column 9 lines 36-43)

As per claim 20, Krivoshein teaches "transmitting the second configuration to the consumer device." (column 18 lines 8-13)

As per claim 21, Krivoshein teaches "implementing the second configuration at the producer device." (column 18 lines 8-13)

As per claim 22, Krivoshein teaches "implementing the second configuration at the consumer device in response to the producer device implementing the second configuration." (column 16 lines 33-40 and column 18 lines 14-19)

As per claim 23, Krivoshein teaches "A computer program product for sharing configuration information among a plurality of devices," (see Abstract)

"the computer program product comprising: a storage medium readable by a processing circuit and storing instructions for execution by the processing circuit for performing a method comprising:" (column 7 lines 37-42)

"transmitting a data sample from a producer device to a consumer device via a network;" (column 9 lines 15-24, wherein parameters are sent to devices)

"receiving a request at the producer device to send configuration information to the consumer device, the configuration information relating to the data sample;" (column 14 lines 4-8, wherein a device in a network requests configuration information)

"and transmitting the configuration information to the consumer device via the network." (column 9 lines 30-36, wherein configuration information is transmitted to devices)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jensen et al (US Patent 6,901,316 B1)

Loukianov (US Patent 6,715,075 B1)

Ylonen (US Patent 6,782,474 B1)

Wischinski (US Patent 6,801,920 B1)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo
Examiner

Tim T. Vo
SPE

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